IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT No. 2190 of 1987

Pradeep V. Borkar .. Plaintiff
versus
Atomplant Industries & Ors. .. Defendants

...

Mr.Ganesh Rao i/b N. Dinkarrao for the plaintiff.
Ms.Sapna Samant i/b H.S.S.Murthy for defendants.

CORAM : D.G. KARNIK, J

DATED : 14th July 2006.

P.C.:

1. Heard learned counsel for the plaintiff and defendants. The defendants have not filed the written statement though about 19 years have passed. In the absence of the written statement, averments made in the plaint are deemed to be accepted.

2. Learned counsel for the plaintiff says that in view of the fact that suit is for recovery of money only, this Court should exercise powers under Order 8 Rule 5(2) r/w Order 8 Rule 10 of the CPC and pass a decree. Submission is accepted. Submission is decreed in terms of prayer clauses (a), (c) and (d).

(D.G. KARNIK, J)